

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ACI WORLDWIDE CORP.,

Plaintiff,

vs.

**MASTERCARD TECHNOLOGIES, LLC,
and MASTERCARD INTERNATIONAL,
Incorporated;**

Defendants.

8:14CV31

ORDER OF DISMISSAL

This matter is before the Court on the parties' Stipulation of Dismissal, ECF No. 486. The Stipulation complies with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. The above-captioned action will be dismissed with prejudice, and the Court will not assess costs or attorney's fees. Per the stipulation of the parties, the protective orders entered in this case at ECF Nos. 290 and 332 shall remain in full effect following the dismissal of the case. The protective order entered at ECF No. 123 shall similarly remain in full effect, subject to the following modification:

The parties' counsel shall be permitted to maintain after dismissal, and MasterCard shall not oppose ACI's use of, any court filings or discovery (including Answers to Interrogatories, Responses to Requests for Production of Documents and responsive documents produced, documents obtained via subpoena, ACI's expert reports, etc.) and any depositions taken in connection with the Federal Litigation, including deposition exhibits, in any proceeding against BHMI, subject to the existing

protective orders to guard against public disclosure. Nothing herein will limit MasterCard's right to object to future discovery requests issued to MasterCard.

Accordingly,

IT IS ORDERED:

1. The Stipulation of Dismissal, ECF No. 486, is approved;
2. The above-captioned action is dismissed with prejudice;
3. Any pending motions are terminated;
4. The protective orders entered in this case at ECF Nos. 290 and 332 shall remain in full effect following the dismissal of the case;
5. The protective order entered at ECF No. 123 shall remain in full effect following the dismissal of the case, subject to the following modification:

The parties' counsel shall be permitted to maintain after dismissal, and MasterCard shall not oppose ACI's use of, any court filings or discovery (including Answers to Interrogatories, Responses to Requests for Production of Documents and responsive documents produced, documents obtained via subpoena, ACI's expert reports, etc.) and depositions taken in connection with the Federal Litigation, including deposition exhibits, in any proceeding against BHMI, subject to the existing protective orders to guard against public disclosure. Nothing herein shall limit MasterCard's right to object to future discovery requests issued to MasterCard; and

6. The Court will not assess costs or attorney's fees.

Dated this 2nd day of March, 2017.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge